

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

UNITED STATES OF AMERICA, <i>ex rel.</i> ,	)	
MARY HAGGARD,	)	
	)	
Plaintiffs,	)	CIVIL CASE NO.: 3:12-cv-00669
	)	JUDGE FRIEDMAN
v.	)	MAGISTRATE JUDGE FRENSELY
	)	
DIVERSICARE MANAGEMENT SERVICES	)	
CO., MAYFIELD REHAB & SPECIAL CARE	)	
CENTER, and GARLAND NURSING AND	)	
REHAB CENTER,	)	<b>UNDER SEAL</b>
	)	<b><u>AND IN CAMERA</u></b>
Defendants.	)	

**UNITED STATES' NOTICE OF ELECTION TO INTERVENE FOR PURPOSES OF  
SETTLEMENT AND MOTION TO UNSEAL**

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(2) and (4), the United States notifies the Court that it intervenes in this action for purposes of settlement. The parties have executed a settlement agreement resolving this case with no issues to remain before the Court. The United States and Relator intend to file a joint stipulation of dismissal once certain commitments in the settlement agreement have been fulfilled.

The United States requests that Relator's Complaint [D.E. 1]; Docket Nos. 2-8, 10-22, 24, 26-28, 30-33, 35-37, 39-42, 44-45, 47-53, 55-56, 58-60, 62-63, 65-66, 68-70, 72-73, 75-76, 78-79, 81-83, 85-87, 89-90, 92, and this Notice [D.E. 93]; and the attached proposed Order be unsealed, but that all other papers currently on file in this action remain under seal because, in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended or partially lifted.

A proposed order accompanies this notice.

Respectfully submitted,

DONALD Q. COCHRAN  
United States Attorney  
Middle District of Tennessee

s/Sarah K. Bogni  
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### **CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Notice of Election to Intervene in Part for Purposes of Settlement and Motion to Unseal was served via E-mail and/or First Class U.S. Mail, postage prepaid on February 18, 2020, to the following:

William Michael Hamilton, Esq. Provost, Umphrey Law Firm, LLP Nashville Office 4205 Hillsboro Pike, Suite 303 Nashville, TN 37215 Email: <a href="mailto:mhamilton@pulf.com">mhamilton@pulf.com</a>	Anna Dover Kreindler & Associates 7676 Hillmont Street, Suite 240A Houston, TX 77040-6478 Email: <a href="mailto:adover@blowthewhistle.com">adover@blowthewhistle.com</a>
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Because this action is under seal pursuant to 31 U.S.C. §§ 3729-3733, as amended, Defendants have not been served with copies of the foregoing Notice.

s/Sarah K. Bogni  
SARAH K. BOGNI  
Assistant United States Attorney